

16569 U.S. PTO
08/20/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

17613 U.S. PTO
10/644500
08/20/03

In re Application of: Ross C. Terrell
Docket No.: INH1001USC3
Anticipated Classification of this
application:
Class _____ Subclass _____
Prior Application: 10/193,786
Examiner: Michael L. Shippen
Group Art Unit: 1621

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request for the filing under 37 C.F.R. § 1.53(b) of a
☒ continuation, ☐ divisional, ☐ continuation-in-part of pending prior application Serial
No. 10/193,786, filed July 11, 2002, which is a continuation of U.S. Serial No.
09/337,019, filed June 21, 1999, which is a continuation of U.S. Serial No. 08/912,520,
filed August 18, 1997, entitled METHOD FOR THE PREPARATION OF
SEVOFLURANE and naming as inventor Ross C. Terrell having an address of 102
Fairview Avenue, Phillipsburg, New Jersey 08865.

1. ☒ Enclosed are 1 title page, 18 pages of specification, 4 pages of
claims (42 claims), and 1 page of abstract.
2. ☒ Enclosed is an executed Declaration and Power of Attorney
(3 pages) from the great-grandparent application Serial No.
08/912,520.
3. ☒ Incorporation by Reference. The entire disclosure of the three
prior applications are considered to be part of the disclosure
of the accompanying application and are hereby incorporated
by reference.

Certificate of Express Mailing (37 C.F.R. § 1.10)

I hereby certify that this paper or fee is being deposited with the United States Postal Service as "Express
Mail Post Office to Addressee" Mailing Label No. EV 327083109 US in an envelope addressed to:
C mmissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date:

August 20, 2003

Signature:

Jodi Jung

Name: Jodi Jung

4. ☒ The filing fee is calculated below.

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee \$375.00
Total Claims	20-20	0	X	\$9.00	\$0
Independent Claims	1-3	0	X	\$42.00	\$0
Multiple Dependent Claims	0		X	\$140.00	\$0
Total					\$375.00

5. ☒ The Commissioner is hereby authorized to charge any deficiency in fees under 37 C.F.R. §§ 1.16 or 1.17 which may be required, or credit any overpayment, to Deposit Account No. 16-2312. A duplicate copy of this sheet is enclosed for that purpose.
6. ☒ A check in the amount of \$375.00 is enclosed to cover the filing fee. Applicant asserts that he is entitled to small entity status.
7. ☒ Cancel in this application original claims 14 to 17 and 25 to 42 of the prior application before calculating the filing fee.
8. ☐ Amend the specification by adding the following sentence before the first paragraph:
9. ☐ ___ sheets of new formal drawings are enclosed.
- 10a. ☐ Priority of application serial no. _____ filed on _____, in the _____ is claimed under 35 U.S.C. § 119.
- 10b. ☐ The certified copy was filed in prior application serial no. _____, filed _____.

11. ☒ The Assignment records in the Patent and Trademark Office indicate that the application Serial No. 08/912,520 is assigned to: Medeva Pharmaceuticals PA, Inc. This Assignment is recorded at Reel 9823, Frame 0103.
12. ☐ A Statement Regarding Submission of Sequence Listing (___ pages) and a Request For Transfer of Previously Filed Computer Readable Form of Sequence Listing Under 37 C.F.R. § 1.821(e) and M.P.E.P. § 2422.05 (___ pages) are enclosed.
13. ☒ The Power of Attorney in great-grandparent application Serial No. 08/912,520 is to Thomas E. Popovich (Reg. No. 30,099), Terry L. Wiles (Reg. No. 29,989), Patrick J. O'Connell (Reg. No. 33,984), Kevin W. Cyr (Reg. No. 40,976), and Miriam G. Simmons (Reg. No. 34,727).
 - a. ☒ The power appears in the original papers in the parent application.
 - b. ☒ A copy of the power in the prior application is enclosed.
 - c. ☒ Address all future communications to:
Thomas E. Popovich, Esq. (30,099)
Popovich & Wiles, PA
Suite 1902, IDS Center
80 South 8th Street
Minneapolis, MN 55402
14. ☒ A Preliminary Amendment (6 pages) is enclosed.

15. ☒ Request for Withdrawal as Attorney or Agent (1 page).

Respectfully submitted,

Dated: August 20, 2003 By Patrick J. O'Connell
Customer No. 009561
Thomas E. Popovich (30,099)
Patrick J. O'Connell (33,984)
Cecilia Jaisle (28,824)
POPOVICH & WILES, PA
Suite 1902, IDS Center
80 South 8th Street
Minneapolis, MN 55402
Telephone: (612) 334-8989
Attorneys for Applicant

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR WITHDRAWAL
AS ATTORNEY OR AGENT**

Application Number	Not Yet Assigned
Filing Date	August 20, 2003
First Named Inventor	Ross C. Terrell
Art Unit	1621
Examiner Name	Michael L. Shippen
Attorney Docket Number	INH1001USC3

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby apply to withdraw as attorney or agent for the above identified patent application.

The reasons for this request are: continuing failure of applicant to pay outstanding patent legal fees.

CORRESPONDENCE ADDRESS1. ☐ The correspondence address is NOT affected by this withdrawal.2. ☒ Change the correspondence address and direct all future correspondence to:

John C. McNeirney
 Vice President & Chief
 Technical Officer
 MINRAD, Inc.
 847 Main Street
 Buffalo, NY 14203

☐ Customer Number:**OR**☒ Firm or
Individual Name

Address

Address

City

State

Zip

Country

Telephone

716-855-1068 x 305

Fax

716-855-1078

☒ This request is made on behalf of myself and☒ all the attorneys/agents of record.☐ the attorneys/agents (with registration numbers) listed on the attached paper(s), or☐ the attorneys/agents associated with Customer Number

This request is enclosed in triplicate (including any attachments).

Name

Patrick J. O'Connell Reg. No. 33,984

Signature

Patrick J. O'Connell

Registration No.

Date

August 20, 2003

NOTE: Withdrawal is effective when approved rather than when received. Unless there are at least 30 days between approval of withdrawal and the expiration date of a time period for response or possible extension period, the request to withdraw is normally disapproved.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**REQUEST FOR WITHDRAWAL
AS ATTORNEY OR AGENT**

Application Number	Not Yet Assigned
Filing Date	August 20, 2003
First Named Inventor	Ross C. Terrell
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CORRESPONDENCE ADDRESS

1. ☐ The correspondence address is NOT affected by this withdrawal.

2. ☒ Change the correspondence address and direct all future correspondence to: John C. McNeirney
Vice President & Chief
Technical Officer
MINRAD, Inc.
847 Main Street
Buffalo, NY 14203

☐ Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	Zip	
Country			
Telephone	716-855-1068 x 305	Fax	716-855-1078

☒ This request is made on behalf of myself and

☒ all the attorneys/agents of record.

☐ the attorneys/agents (with registration numbers) listed on the attached paper(s), or

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Name Patrick J. O'Connell Reg. No. 33,984

Signature *Patrick J. O'Connell* Registration No.

Date August 20, 2003

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